

FILED IN OPEN COURT

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT

NOV 09 2004

RECEIVED

IRMA NOEMI RECINOS,
Plaintiff

v.

SPORTWEAR, INC.
Defendant.

CIVIL ACTION NO. 04-11134-NG

PROPOSED PRETRIAL SCHEDULE

1. No later than **December 8, 2004** the required initial disclosures under Fed. R. Civ. P. 26(a)(1) shall be made.
2. Motions to join the other parties and amend the pleadings (Fed. R. Civ. P. 16(b)(1)) shall be filed no later than **January 8, 2005**.
3. Plaintiff shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to the other parties by **February 11, 2005**.
4. Defendant shall file and serve a document identifying by full name, address and telephone number each person whom Defendant intends to call as an expert at trial and certifying that written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to the other parties by **March 11, 2005**.
5. Counselors shall file and serve affidavits of record custodian witnesses proposed to be presented by affidavit at trial no later than **February 11, 2005**. Objections to such affidavits must be made within 14 days after the service of the disclosure.
6. Discovery shall be completed by no later than **April 8, 2005**. All discovery requests

shall be served in time for the responses thereto to be served by this date. No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter and have had a telephone conversation with the Magistrate in an attempt to resolve the matter informally.

7. Motions In Limine must be filed by no later than **May 18, 2005**.

8. All other motions, except those to complete discovery, those non-waivable motions made pursuant to Fed. R. Civ. P. 12 and those relating to the admissibility of evidence at trial shall be filed on or before **June 18, 2005**.

9. Mediation shall be completed in this case on or before **January 14, 2005** provided a mediator is available before said date. In the event a mediator is not available by said date, the parties may seek to amend the pretrial schedule accordingly.

10. No later than **August 12, 2005** the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) Pretrial Disclosures. Within 14 days thereafter any party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections, any objections to the use of the deposition designed by another party and any deposition counter-designations under Fed. R. Civ. P. 32(a)(4).


11. Parties shall furnish the Court pretrial briefs five business days prior to the date set for jury selection or trial before the Court. Attorneys shall meet at least five business days prior to the date for submission of pretrial briefs for the purpose of exchanging and marking all exhibits.

12. This case is subject to be called for jury selection and trial on or after **September 12, 2005**.

Certification

I, Kenneth B. Phillips, as counsel for the Plaintiff hereby certify that I have conferred with the Plaintiff with a view to establishing a budget for the cost of conducting the full course

and various alternative courses of the litigation and to consider the resolution of the litigation through the use of alterative dispute resolution programs.



Kenneth B. Phillips, Esq.

BBO 633836 PH 508-652-0085

I, Richard B. Michaud, as counsel for the Defendant hereby certify that I have conferred with the Defendant with a view to establishing a budget for the cost of conducting the full course and various alternative courses of the litigation and to consider the resolution of the litigation through the use of alterative dispute resolution programs.


Richard B. Michaud, Esq.

Defendant
SPORTSWEAR STORE, INC.
By its attorneys,


Richard B. Michaud, Esq. BBO# 345000
Bernkopf Goodman LLP
125 Summer Street, Suite 1300
Boston, Massachusetts 02110
Tel: (617) 790-3000

Dated: November 9, 2004
#301199 v1/32480/9242